

REMARKS

Applicants thank the Examiner for considering the references cited in the Electronic Information Disclosure Statement filed on November 24, 2003, as evidenced by the initialed form. Applicants respectfully request the Examiner to acknowledge consideration of the references cited in the Supplemental Information Disclosure Statement filed on January 14, 2004.

Claims 1-30 are all the claims pending in this application. Selected claims are amended to further clarify the invention. Reconsideration and allowance of all the rejected claims are respectfully requested in view of the following remarks.

REJECTION UNDER 35 U.S.C. §103(a)

Claims 1-30 stand rejected under 35 U.S.C. §103(a) as allegedly being obvious over Slattery, *et al.* (U.S. Patent 6,514,085) in view of Johnston, *et al.* (U.S. Patent Publication No. 2002/0103882). Applicants respectfully traverse this rejection on the following basis.

Independent claims 1, 12, 17, 21 recite presenting one or more examination items to the user, wherein the examination items include a practical exercise and at least one of a multiple choice question and an essay question, among other things. Independent claims 6 and 26 recite presenting one or more exam items to the user, wherein the examination items include at least one of a practical exercise, a multiple choice question, and an essay question, among other things. In an exemplary embodiment, an exam includes one or more exam items, where the exam items include a question, a practical exercise, or other exam item (see the specification at page 6, lines 27-29). A question

may be a multiple choice question, an essay question or other question that the user is asked to answer (see the specification at page 6, lines 29-30).

While Slattery et al. discloses a system for training a user in the operation of a device through controlling a device via remote access, Slattery et al. is deficient at least because it fails to disclose an examination that presents one or more examination items to the user, wherein the examination items include a practical exercise and at least one of a multiple choice question and an essay question or an examination that presents one or more exam items to the user, wherein the examination items include at least one of a practical exercise, a multiple choice question, and an essay question. In fact, Slattery et al. does not disclose an examination system.

Furthermore, the Examiner acknowledges that Slattery et al. is deficient because it fails to disclose virtual machines. The Examiner relies on Johnston et al. for disclosing virtual machines. While Johnston et al. appears to disclose a remote training system that provides instruction to one or more users at the same or different times in an interactive manner, Johnston et al. is deficient at least because it fails to disclose an examination that presents one or more examination items to the user, wherein the examination items include a practical exercise and at least one of a multiple choice question and an essay question or an examination that presents one or more exam items to the user, wherein the examination items include at least one of a practical exercise, a multiple choice question, and an essay question. As a result, Johnston et al. fails to overcome the deficiencies of Slattery et al.

In view of the foregoing differences between independent claims 1, 6, 12, 17, 21, and 26 and the cited art, Applicants respectfully submit that the Examiner has failed to establish a prima facie case of obviousness under §103(a). Thus, independent claims 1, 6, 12, 17, 21, and 26 are clearly allowable over these references and claims 2-5, 7-11, 13-16, 18-20, 22-25 and 27-30 are allowable at least by virtue of their dependency.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Dated: April 15, 2004

Respectfully submitted,



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